

**4464. Adulteration and misbranding of "Trester Brandy." U. S. * * *
v. Joseph Silverman (Joseph Silverman & Co.). Plea of guilty.
Fine, \$50 and costs. (F. & D. No. 6505. I. S. No. 181-h.)**

On March 8, 1916, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Joseph Silverman, trading as Joseph Silverman & Co., Cincinnati, Ohio, alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about January 13, 1914, from the State of Ohio into the State of New York, of a quantity of "Trester Brandy," which was adulterated and misbranded. The article was labeled: (On barrel head, in large distinct type) "Trester Brandy." (On other barrel head in small and indistinct type) "Stamp 1232666-Proof 90 Brand a compound. Guaranteed by Joseph Silverman & Co., Cincinnati, O. under the Food & Drugs Act June 30, 1906. Wholesale liquor dealer, 242 Main St. Cinti, O."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as parts per 100,000 of 100° proof alcohol, except as otherwise stated:

Proof 60°F	90.6
Total acid, as acetic	16.6
Esters, as acetic	47.5
Furfural	0.35
Fusel oil	25.0

An imitation product consisting wholly or in part of neutral spirits.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, an imitation product consisting wholly or in part of neutral spirits, had been substituted wholly for Trester Brandy, which the article purported to be.

Misbranding was alleged for the reason that the statement "Trester Brandy," borne on the barrel containing the article, was false and misleading in that it represented the article to be genuine Trester Brandy, and was such as to deceive and mislead the purchasers into the belief that it was genuine Trester Brandy, whereas, in truth and in fact, it was not, but was an imitation product, consisting, wholly or in part, of neutral spirits.

On March 8, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*